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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief

Report of the Secretary-General**

Summary

The present report, which is submitted in accordance with General Assembly resolution 70/157, reports on steps taken by States to combat intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief, as set forth in the resolution.

* A/71/150.
** The present report was submitted after the deadline in order to reflect the most recent developments.

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 70/157, in which the Assembly requested the Secretary-General to submit at its seventy-first session a report including information provided by the United Nations High Commissioner for Human Rights on steps taken by States to combat intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief, as set forth in the resolution.

II. Information received from Member States[1]

Argentina

2. Argentina reported that, as a result of extensive national consultations, a document entitled "Towards a national plan against discrimination in Argentina: analysis and proposals" based on the Durban Declaration and Programme of Action, had been approved.

3. Interreligious policy is led by the Ministry of Foreign Affairs and Worship, which maintains the relationship and dialogue between the Government and religious entities other than the Roman Catholic Church.

4. The National Institute to Combat Discrimination, Xenophobia and Racism has a mandate, as set out in Decree No. 1086/2005, that includes strengthening and promoting the principle of pluralism and religious diversity, promoting the diversity of worship and confessions as a value in society and promoting the eradication of discriminatory practices, stereotyping and prejudices directed against, in particular, followers of African religions.

5. In addition, the Institute pursues and proposes diverse initiatives to combat intolerance and considers complaints by individuals and members of civil society on diverse forms of discrimination, including anti-Semitism and Islamophobia. It also provides assistance to victims of discrimination, racism and xenophobic aggression through its office of assistance to victims.

6. In Argentina, as a consequence of the transatlantic slave trade and colonialism, African religions have been systematically stigmatized. Crimes committed by a person associated with an "Afro cult" are often negatively referred to in the media as "Umbanda rites" or "Umbanda sect" cases.

7. The Institute tackles the issue from various angles, including through prevention and by promoting activities such as its Afrodescendant programme and intercultural section, which are aimed at augmenting and implementing effective public policies that take into account the specific needs and realities of people of African descent. It also focuses on promoting the visibility and raising awareness of the historical contributions of people of African descent in Argentina and on eradicating discrimination against them.

[1] The present report summarizes contributions received from Member States further to a note verbale dated 7 April 2016. The full texts of the submissions are available for consultation at the Anti-Racial Discrimination Section, Rule of Law, Equality and Non-discrimination Branch, of the Office of the United Nations High Commissioner for Human Rights.

Australia

8. Australia reported that all Australians are entitled to express and practice their religion and their beliefs, without intimidation and interference, provided that those practices abide by Australian law. Under section 116 of the Constitution, the Government is prohibited from making any law for establishing any religion, imposing any religious observance or prohibiting the free exercise of any religion.

9. The Constitution also contains an implied guarantee of freedom of communication in relation to political matters, which the High Court has determined is essential to the proper functioning of the system of democratic and representative government. This freedom can be limited only by laws that are reasonably appropriate and adapted to achieving a legitimate end or overriding public purpose, such as protecting the public from danger provoked by materials promoting violence.

10. The multicultural policies and programmes include national initiatives aimed at promoting interreligious, intercultural and interfaith harmony and dialogue as tangible outcomes and benefits for all Australians.

11. A multicultural community liaison officer network operates across Australia, developing a productive and collaborative engagement with diverse communities, including religious groups, and key stakeholders, including parliamentarians, to strengthen linkages to the Government and to support a productive and diverse society. An ethnic liaison officer network was created in 2013 to facilitate interaction between ethnic communities and the Department of Immigration and Border Protection.

12. The Multicultural Access and Equity Policy ensures that all government programmes and services are accessible to all eligible Australians, regardless of their cultural, religious or linguistic backgrounds. The policy promotes training and development measures to Government departments and agencies, providing their staff with cultural competency skills.

13. Australia has funded a range of community-led mentor training programmes and workshops that support the efforts of youth and individual leaders to counter violent extremism. Ethnic liaison officers, for example, engage with community leaders to discuss issues, including discrimination, marginalization and how to avert violent extremism.

Bahrain

14. The Ministry of Justice and Islamic Affairs and Religious Property noted that recently there had been a dialogue on national reconciliation organized by the King of Bahrain involving representatives of all sectors of society, including "partnership residents", during which many issues were considered, including religious rights.

15. The Constitution of Bahrain attaches importance to rights, human dignity and peaceful coexistence without discrimination on the basis of race, sex or opinion. Article 4 establishes that justice is the basis of society and article 18 states that "people are equal in dignity before the law in rights and obligations" and that there is no discrimination on the basis of race, origin, language, religion or opinion. Bahrain, in reviewing its human rights laws, takes the principles of international human rights treaties into account.

16. The Government reports that it is taking measures to combat terrorism in all its forms, in particular hate crimes, through the recommendations issued by the two chambers of the National Assembly in 2013. These recommendations include: sanctions for incitement to violence and for terrorism in all its forms and aspects; aggravated sanctions for those who incite the perpetration of terrorist crimes; aggravated sanctions for the perpetration of all crimes of violence and terrorism in all its forms; and legislative measures against political associations that incite violence.

17. Crimes leading to discrimination against a category of people or that denigrate them are addressed by measures in the Penal Code and the Code of Criminal Procedure, which are implemented by the authorities. In addition, the national human rights institution receives complaints, studies and refers cases to the competent national authority and provides assistance to complainants. It is a crime under article 309 of the Penal Code to publicly attack, insult or denigrate a recognized religion or religious symbol. Law No. 26 of 2005 on political association prohibits the constitution of a group of people on the basis of class, geography or profession that discriminates on the grounds of sex, origin, language, religion or opinion.

18. Ministerial decision 23/2009 stipulates that speeches, seminars and conferences must respect good citizenship, the principle of peaceful coexistence and the leadership of the King, who is a national symbol of unity.

19. The declaration of the Supreme Council for Islamic Affairs calls upon speakers and "preachers" to denounce violence and other destructive attempts against the interests of people and the excessive use of force against or the ill treatment or degradation of human dignity and other forms of attacks prohibited by the sharia, regardless of who perpetrates such acts. The Ministry of Justice and Islamic Affairs and Religious Property has called upon all speakers and "preachers" to sign the declaration, which has been positively and widely received.

Bulgaria

20. Bulgaria reports that the national Commission for Protection against Discrimination is an independent specialized State body with powers to prevent discrimination, protect against discrimination and ensure equal opportunities on many grounds under the Protection against Discrimination Act, including religion and/or belief. During the period 2014-2016, cooperation with non-governmental and professional organizations in the field of combating discrimination, negative stereotyping, intolerance, xenophobia and hate speech has increased. The Commission has held working meetings, joint initiatives and media events and arranged and participated in round tables and conferences.

21. In 2014, senior officials of the Commission met representatives of the National Council of Religious Communities in Bulgaria, the Central Israelite Religious Council, the Grand Mufti's Office and the United Evangelical Churches in Bulgaria. During the meeting, opportunities for cooperation were discussed and foundations for future joint action between the Commission and the religious communities were established.

22. A scientific conference on "harmony in differences", held on 10 December 2014, Human Rights Day, was organized by the Commission, the University of

Library Studies and Information Technologies and the National Council of Religious Communities in Bulgaria, with the support of the religious affairs directorate of the Council of Ministers of Bulgaria.

23. In 2015, the Commission held a meeting with the Organization of the Jews in Pulgaria "Shalom" to discuss joint opportunities to combat acts of anti-Semitism, xenophobia, racism and discrimination. A programme entitled "Known and unknown", which was broadcast on Bulgarian National Radio, featured a discussion dedicated to the International Day for the Elimination of Racial Discrimination on such topics as combating racism, xenophobia and anti-Semitism and the attitudes and responses of contemporary Bulgarian society. The Commission also organized an essay competition on "tolerance lessons" in the countryside.

24. Bulgaria reported 10 and 12 cases lodged on the basis of discrimination in 2014 and in 2015, including cases based on belief and/or religion and other grounds, such as ethnicity, personal status and political opinion. One of the topical issues was the wearing of burkas by those who practise Islam.

Denmark

25. In November 2015, the Danish National Police launched a nationwide programme in November 2015 to closely monitor the development of hate crimes. The programme has stimulated a dialogue with a number of stakeholders and will establish closer cooperation with them and determine ways to increase the number of victims who report hate crimes. Cadets at the Danish police academy take an obligatory course on hate crimes and new officers from all 12 police regions receive training in the handling and registration of such crimes. Denmark reports that an annual publication on reported hate crimes will be incorporated into existing training courses and will be used to develop new training initiatives on hate crimes.

26. In 2015, overall national responsibility for the prevention of and efforts to combat hate crimes was transferred from the Danish Security and Intelligence Service to the Danish National Police. Denmark works to educate and guide all groups of Danish society, while combating hate crimes and discrimination through legislative measures and campaigns.

27. Sections 244 to 246 of the Criminal Code contain provisions regarding violence and assaults. Section 23 provides for an offence if a person is complicit in such acts by incitement or aiding and abetting. Section 81 (6) makes it an aggravating circumstance in the sentencing of a criminal act if the act was based on the ethnic origin, religion or sexuality of others or similar issues. Section 266 (b) provides that any person who, publicly or with the intent of dissemination to a wide group, issues a statement or other communication threatening, humiliating or degrading persons of a particular group because of their race, colour, national or ethnic origin, religious faith or sexuality is sentenced to a fine or imprisonment for a term not exceeding two years.

28. The Danish Constitutional Act provides for full freedom of religious belief and association. Under section 67, citizens shall be at liberty to form congregations for religious worship in a manner that is in accordance with their convictions, provided that nothing contrary to good morals or public order shall be taught or done.

29. According to section 137 (2) of the Criminal Code, any person who disturbs, among other things, a worship service or other public church service by noise or

disorderly behaviour, or who disturbs a funeral or burial service in an improper manner, is sentenced to a fine or imprisonment for a term not exceeding two years. Section 139 (1) of the Code provides that any person who desecrates a grave or is guilty of abusing a human corpse is sentenced to a fine or imprisonment for a term not exceeding six months. Section 139 (2) imposes the same penalty on any person who is guilty of abusing items belonging to a church and used for religious purposes.

Germany

30. The German Basic Law (Constitution) provides for freedom of expression and freedom of faith and conscience and enshrines article 18 of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. The Basic Law and other legislation prohibit discrimination on religious grounds. For example, the General Act on Equal Treatment prohibits discrimination on religious grounds in employment. In this regard, courts in Germany deal mainly with questions concerning the wearing of headscarves by Muslim women in the workplace.

31. The Federal Ministry of the Interior promotes interreligious and intercultural dialogue between Christians, Jews and Muslims. The German Islam Conference is a permanent communication process between the German State (Federal Government, Federal Länder and municipalities) and representatives of the Muslim communities in Germany.[2]

32. In Germany, offences involving discrimination against persons on the basis of religion or belief, in particular violent offences, are recorded and analysed separately as hate crimes, which are considered to be politically motivated crimes. Some 90 per cent of these offences have been attributed to right-wing-oriented and politically motivated crime. Under criminal law, hate crime involving contempt for other human beings, which includes discrimination or violence on the basis of religion or faith, means that the courts generally hand out stricter sentences or, in the case of murder, consider the offender to have acted on base motives (section 211 of the Criminal Code). Specific forms of hate crime involving a religious aspect are also punishable, depending on the individual case, as incitement to hatred (section 130), the defamation of religious associations (section 166) or insults (section 185), at least in cases when the offence was targeted at an individual.

33. Hate crimes are prosecuted as offences against State security and are recorded separately. Such crimes are systematically prosecuted and include investigation teams set up for this purpose, where appropriate. In addition, the police force takes regular preventive measures, such as stepping up physical protection or police controls with regard to particularly vulnerable points (e.g., Jewish cemeteries). The police force of the Federal Länder supports victims' assistance projects, associations and institutions and other counselling bodies in an effort to encourage those seeking help to come forward, reduce barriers and raise confidence in the police and in their work.

34. In 2015 the obligation to prove "bias motives" and document the result in cases of violent crime was implemented in the guidelines for police investigations (Polizeiliche Dienstvorschriften, PDV 100), with the main objective of

[2] See www.deutsche-islam-konferenz.de.

comprehensively recognizing "such motives during police investigations in order to ensure their consideration as an aggravating circumstance during prosecution and sentencing.

35. Recently, the Federal Ministry of Justice and Consumer Protection established a task force together with Facebook, Google, Twitter, as well as several civil society organizations, to jointly work out suggestions on how to deal with hate speech on the Internet. The participants agreed that hate speech prohibited under German law would be reviewed and removed from the Internet in a timely manner. Hate speech can, according to German law, constitute a statutory offence, when incitement to hatred or violence is directed against a person or a group on the basis of race, ethnic origin, nationality, religion, sexual orientation or identity, gender, age or disabilities or any other characteristic inherent to the members of the group. The companies participating in the task force have committed themselves to certain measures aimed at more effective "notice and take-down" procedures.

36. The Federal President, the Federal Chancellor, other members of the Government and other officials speak out regularly against intolerance, as do civil society leaders, including religious leaders.

Honduras

37. Honduras reported on several relevant legislative measures, including Decree No. 23-2013, which amended: (a) article 27 of the Penal Code, in which committing a crime of hatred or contempt on the basis of sex, gender, religion, national origin, association with indigenous and African descent, sexual orientation or gender identity, age, marital status or disability, ideology or political views of the victim is an aggravated offence; (b) article 321, which provides for the offence of discrimination and increases penalties and punishment in those cases where it was established that the act was committed by a public official or employee in the performance of their duties; and (c) article 321-A, which provides for the sentencing or imprisonment for whoever publicly or through the media or dissemination to the public, incites discrimination, hatred, contempt, persecution or any form of violence or attacks against a person, group or association, foundation, corporation, non-governmental organization by any of the grounds specified in article 321.

38. The Secretary of State in the Ministry of Culture, Arts and Sports is responsible for cultural and artistic activity with regard to the development, implementation and evaluation of policies regarding research into and the dissemination of cultural traditions, art education and the identification, conservation and protection of the cultural patrimony of the nation.

39. African Heritage Month is commemorated every year to recognize the contribution that black communities have made in Honduran society throughout its history. The Indigenous Centre for Craft Training is an initiative to promote the technical training of indigenous peoples of the western area of the country.

40. Honduras reported that the slogan for the 2015 school year was "Improving school coexistence to influence social coexistence", stressing the importance of space for diversity and tolerance among all stakeholders in the educational process.

Italy

41. The protection of freedom of religion, especially with regard to individuals, associations and religious organizations, is guaranteed in article 8 of the Constitution concerning the establishment of effective relationships between State and religious confessions. There is no State religion in Italy, and article 19 of the Constitution sets out the right to freedom of religion and belief.

42. Italy reported that religious denominations without an *intesa* (agreement) enjoy the same treatment as others and that the absence of one does not affect a religious group's ability to worship freely. The Constitutional Court has repealed the provision (royal decree No. 289/1930) granting authorization by a decree of the Head of State for the opening of a religious site (decision No. 59/58). Accordingly, religious denominations that have not signed any *intesa* with the State can apply for State funding for the building and equipping of religious sites (Constitutional Court verdict No. 195/1993), as long as the purpose of the religious denomination stems from its statute and previous public manifestations. More recently, judgment No. 63/2016 of the Constitutional Court on the constitutional legitimacy of Regional Law No. 2/2015 (Lombardy) reiterated that: (a) Italy recognized both freedom of religion and confessional pluralism; (b) the free exercise of worship was an essential aspect of freedom of religion which was equally extended to all people and to all religious denominations regardless of the conclusion of an agreement with the State and (c) the establishment and opening of new places of worship were protected under article 19 of the Constitution and did not require the conclusion of any *intesa*.

43. In order to combat all forms of religious discrimination and societal prejudices, in particular against Jewish and Muslims communities, the Government continues, among other things, to host meetings to raise awareness of interreligious dialogue. Religious and government officials continue to encourage mutual understanding. There is an ongoing debate about whether Muslim women are free to wear the veil in public. According to Act No. 152/75 adopted in the 1970s, individuals are forbidden to hide their identity for reasons of public order.

44. Various bodies work to promote and protect religious freedom in Italy, such as the Office of Studies and Institutional Relations of the Presidency of the Council of Ministers, the National Office against Racial Discrimination and the Observatory of Security against Acts of Discrimination.

45. In view of recent developments, Italy noted the signing of an *intesa* with the Istituto Buddista Italiano Soka Gakkai on 27 June 2015, in accordance with article 8 of the Constitution. The bill concerning the approval of the *intesa* has been passed by the Senate and is now before the Chamber of Deputies. It also noted the establishment of the joint committee for the renovation of "Block 21" at the Auschwitz-Birkenau Museum and for the establishment of the new and relevant Italian exhibition. On the occasion of the International Day of Commemoration in memory of the victims of the Holocaust (27 January 2016, established by Act No. 211/2000), the Presidency of the Council of Ministers organized, with the Union of Italian Jewish Communities, a round table, entitled "Anti-Semitism, fear of difference, incitement to hatred: yesterday and today".

Mexico

46. The Constitution acknowledges the right to freedom of religion and establishes measures aimed at protection against discrimination on the basis of, among other things, religious beliefs. In 2014, the Federal Act to Prevent and Eliminate Discrimination was amended in order to broaden the right to the guarantees of non-discrimination, including in the process for making complaints, expand equality measures, strengthen the obligations of governmental authorities and diversify remedial measures. The Act establishes provisions to prevent and eliminate all forms of discrimination and to promote equality of opportunity and treatment. It also unifies procedures against acts of discrimination by the authorities and individuals, in addition to establishing measures to address the damages incurred.

47. The National Council to Prevent Discrimination has created the National Programme for Equality and Non-Discrimination 2014-2018 which assigns specific lines of responsibility to various agencies of the federal public administration to verify and strengthen rules and practices so that regulatory provisions and administrative actions that encourage or tolerate discriminatory practices may be removed. Mexico reports that strategy 5.5 of the programme includes generating and disseminating knowledge about religious and cultural diversity; promoting alternative activities to the dominant cultural and religious practices in the national education system; promoting coordination with and between movements and religious associations that promote practices of tolerance, respect and a culture of peace; promoting community projects with social organizations to combat cultural, regional and religious intolerance; and promoting awareness of and combating anti-Semitism and Islamophobia.

48. The Ministry of the Interior oversees compliance with the constitutional and legal provisions on public worship, churches, religious groups and associations, carries out the promotion and defence of the secular State and supports the diversity of religious expressions as part of the recognition of the exercise of religious freedom.

49. In 2014, the National Council adapted the experience of the Council of Europe with the social networking campaign, the "No Hate Speech Movement", to the specific circumstances of the country, and created the "Young, Sintags" campaign, which uses social campaigns and community processes on the Internet to direct young people to combat hate speech online and offline.

50. In 2011, a religiously diverse group was set up, including representatives of various Christian churches (Catholic, Baptist, Anglican, Presbyterian, Adventist and Light of the World), the Jewish, Muslim and Buddhist communities and new movements, such as Scientology. The group meets every three months at the offices of the National Council to discuss the situation of religious discrimination and generate joint actions.

51. In 2015, the National Council organized a forum entitled "The contribution of religion to non-discrimination", the aim of which was to promote dialogue between religious associations through inclusion and non-discrimination. The forum featured speakers from the Shalom Baptist Church, the Anglican Church and the Jewish, Muslim and Buddhist communities. Following the attacks in Paris in 2015, the National Council made a special rapprochement with the members of the Muslim community in Mexico, who have been attacked both in the media and physically in

the streets. Mexico reports that the community was supported with advice for holding a press conference at the Centre for Economic Research and Teaching, by a statement on the National Council's website and through ongoing dialogue. The first Congress of Muslim Latinas was held in February 2016 in Mexico City.

Montenegro

52. Montenegro reported that the Ministry of Human and Minority Rights had registered no cases of intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons on the basis of religion or belief in the public since the beginning of 2016. Maximum efforts are made to enable the exercise of constitutional rights and the highest international standards by all religious communities so that the state of religious freedom in the country, according to the assessment of Montenegro, is at a high level. The Constitution, the Law on the Legal Status of Religious Communities, the Law on the Prohibition of Discrimination and the Criminal Code prohibit and sanction any form of, incitement to or instigation of hatred and intolerance, as well as direct or indirect discrimination on the basis of race, colour, language, religion, national or social origin or membership in or association with a national minority.

53. Montenegro reported that, in practice, the competent national authorities effectively implemented the provisions of the Constitution and the laws concerning respect for freedom of religion and the prohibition of discrimination and violence on the basis of religion. There is an ongoing procedure for the adoption of the new Law on Freedom of Religion, which, in accordance with the highest international standards and the legal system of Montenegro, provides for the prohibition of all forms of direct or indirect discrimination on the grounds of religious belief or the manifestation of those beliefs, and the prohibition of incitement to religious hatred and intolerance.

54. The Ministry has developed a plan to implement this legal framework, including a strategy on education and the promotion of anti-discriminatory behaviour by the media. Seminars and workshops on the topic of protection against discrimination are held annually for civil servants, judicial officials and employees of other independent bodies and organizations, as well as local governments.

55. From 2011 to 2015, the Ministry launched, a number of annual campaigns on the prohibition of discrimination through the media and introduced rights guaranteed by law. The campaign focused on respect for diversity, rejection of discrimination and acceptance of diversity.

Oman

56. Oman noted that, with regard to education, the Ministry of Endowment and Religious Affairs did not supervise religious education in schools, although it is consulted on the religious curriculum. The experts who write and review the curriculum do so by taking into account international human rights standards and tolerance, moderation and national coexistence among people. The curriculum is developed from: verses of the Koran on compassionate cooperation and recognition of other religions in the Koran; good examples of Omanis nationally and from abroad who value non-discrimination on the basis of race and religion; and modern Islamic experiences in which Omanis and Muslims are involved.

57. With respect to university education, the Faculty of Sharia Studies is collaborating with Al-Azhar University in Egypt to write curricula founded on non-discrimination and against racism and that contain chapters on the religions of the world. There are exchange programmes and studies abroad between universities in Oman and internationally.

58. Oman reports that, under the Ministry of Endowment and Religious Affairs, thousands of imams are provided with weekly guidance on preaching, taking a moderate form of Islam, the culture of the society, the environment and ongoing events into consideration, with the objective of guiding people in the right way without inciting or agitating them. This effort has resulted in an improvement, as reflected in a greater number of preachers with formal training over the past three decades. Similarly, in 2015, the Grand Mufti of the Sultanate of Oman delivered 15 speeches on a culture of moderation, combating violent extremism, discrimination and intolerance, including calls for equality and the fraternity of humankind. Oman reported that scholars in the country were consulted on those speeches with other scholars in the Gulf and Arab region. It is felt that, in the light of acts of violent extremism, there is a need for more cooperation.

59. There are also monthly and annual conferences and scientific seminars organized by the Ministry. Oman reported on its "Journal of tolerance and understanding", which contains scientific and cultural articles and information on efforts to combat intolerance and discrimination, criticism of extremism in the name of religion and encouragement of the values of tolerance, compassion and coexistence. The journal entitled "Young people understand" allows young people to engage positively with respect to the issues mentioned in the "Journal of tolerance and understanding".

Pakistan

60. The Government reported that it had undertaken various programmes and projects to promote harmony in the country, that provincial governments had taken steps to further promote the rights of all its citizens and that various federal ministries and government bodies had held a number of seminars, conferences and consultative meetings.

61. A national conference on interfaith harmony entitled "Living together with diversity: inter-faith and intercultural dialogue" was held from 20 to 22 February 2013. The Minister of Religious Affairs and Interfaith Harmony recently held meetings with scholars of all Muslim sects in Karachi, Islamabad, Lahore, Peshawar and Quetta to find common ground for a shared code of conduct. Interfaith harmony conferences were held in all the provincial headquarters in 2015 and local interfaith harmony committees have been established. A national Muslim scholars council has been set up to maintain sectarian harmony in the country.

62. Pakistan also reported on improved security measures with regard to religious occasions and religious places of worship, housing schemes, health facilities, educational improvements and aid grants for specific minority communities. Furthermore, training on human rights education is provided for military and police academies and public officials.

63. Pakistan reported that the composition and terms of reference for the National Commission on Minorities, which were revised, approved and made public in May

2015, included, among other things: (a) the development of a national policy on interfaith harmony to explore avenues for peace and security; (b) the consideration of laws, executive instructions, orders and practices of government departments and agencies that might be discriminatory towards minorities; (c) recommendations to the Government to ensure the full and effective participation by the members of minority communities in all aspects of national life; and (d) ensuring that churches, shrines, temples, gurdwaras and other places of worship of minority communities were preserved, well-kept and fully functional.

64. The Government noted that it had taken strong action against hate speech. Loudspeakers have been banned to discourage hate speech and violators have been arrested. The electronic media are regulated by the Pakistan Media Regulatory Authority Ordinance, 2002 (XIII), which was strengthened by the 2007 amendment in section 20, stating the following:

> Programmes and advertisements shall not contain or encourage violence, terrorism, racial, ethnic or religious discrimination, sectarianism, extremism, militancy, hatred, pornography, obscenity, vulgarity or other material offensive to commonly accepted standards of decency. Further clauses (c) (d) and (e) prohibit its licenses from airing any programme which contains any abusive comment or tends or may expose an individual or a group or class of individuals to hatred, or contempt on the basis of race or caste, national ethnic or linguistic origin, colour or religion or sect.

65. In addition to constitutional protections and equal rights with respect to the practice of religion, chapter XV of the Penal Code concerns offences relating to religion. The Government reports that it has taken legislative steps to ensure the rights of minorities, including the Hindu Marriage Bill (2016), the Christian Marriage (Amendment) Bill (2014), the Christian Divorce (Amendment) Bill (2014), the Khyber Pakhtunkhwa Protection of Communal Properties of Minority Community Act (2014) and the Khyber Pakhtunkhwa Hindu Disposition Property Bill (2014).

Peru

66. Article 2 (3) of the Constitution of Peru recognizes freedom of religion and conscience individually and collectively and persecution on the basis of ideas, beliefs and opinion is prohibited. Freedom of religion is the right of all individuals, and discrimination on the basis of religion is a category of discrimination in the Constitution, which enshrines the principle of non-discrimination and religious equality.

67. There is an agreement between the Holy See and Peru affording the Catholic Church specific benefits. The State has established an institutional mechanism relating to the Church and other religious confessions. Peru reports that it is taking legislative measures to further expand the right to religious freedom, including the laws governing the distribution of donations from abroad and the law of taxes on rent.

68. There are collaborative mechanisms with respect to religious communities in order to provide support for conflict prevention, work, integration and awareness-raising for the media. The "Leaders for social peace and justice" initiative, created in 2015, is developing training for public servants, teachers, youth and the

ombudsman. Recently, religious communities in Peru have asked the State to intervene with regard to the possible discriminatory features of a pending law and regulation (Decreto Supremo No. 010-2011 JUS) affecting religious freedom. An online consultation sponsored by the Ministry of Justice and Human Rights is taking place, in which many people have participated.

69. In 2013, Peru undertook a national survey on the perception of human rights, in particular with regard to equality and non-discrimination, in which 81 per cent of respondents stated that discrimination existed. While the issues of religious freedom were not covered in the survey, and while the Government noted that Peruvians do not appear to see religious freedom as a problem, it reported that there was a need for further study in this regard.

70. Article 316 of the Penal Code provides for the crime of incitement to violence in general terms, and the glorification of the offence of discrimination is an offence under article 323 of the Code.

Qatar

71. The Doha International Centre for Interfaith Dialogue, established by Emiri Decree No. (20) of 2010, aims to support and promote a culture of dialogue between religions and the activation of religious values to address the problems and issues of concern to humanity. The main role of the Centre is to spread the culture and acceptance of others and peaceful coexistence among religious followers through dialogue.

72. The Centre provides opportunities for scholars and the clergy to bring forward exemplary stories from their respective scriptures to address challenges. Clergy and church officials based in Doha are invited to advise the Centre on how to improve the flow of communication between Qatari and non-Qatari residents. The Centre also regularly holds workshops to give a platform to non-Qatari residents to express their concerns regarding their well-being. Local media are invited to write about these concerns and the Government is informed of serious issues of concern to expatriates in Qatar. Every year, the Centre honours those who live in Qatar and have contributed significantly to interfaith harmony and friendship. The Centre has also hosted the annual the Doha Conference for Interfaith Dialogue for the past 12 years under the patronage of the Emir of Qatar, with the support of the Ministry of Foreign Affairs. The most recent conference was held on 16 and 17 February 2016 on the theme of "Spiritual and intellectual security in the light of religious doctrine". The Centre is also involved in supporting and organizing youth forums, football tournaments, radio programmes, book fairs and cultural and literary activities in Doha.

73. With regard to point (h) of the action plan contained in General Assembly resolution 70/157 "recognizing that the open, constructive and respectful debate of ideas, as well as interreligious, interfaith and intercultural dialogue, at the local, national and international levels, can play a positive role in combating religious hatred, incitement and violence", the Government and the Centre hosted the fourth meeting of the Istanbul Process in Doha on 24 and 25 March 2015, focusing on advancing religious freedom through interfaith collaboration. The meeting brought interfaith and government experts together, contributing to the formation of collaborative partnerships between the Government and civil society in promoting those goals.

Romania

74. The State Secretariat for Religious Affairs supports and encourages the involvement of religious organizations in Romania, in particular the 18 recognized religions and religious associations, in the construction of the common good, and supports interreligious dialogue and interconfessional peace and cooperation. It has prepared and published, in Romanian (2014) and English (2015), a volume entitled: "State and religions in Romania".

75. The President of Romania, the Prime Minister and members of the Government have repeatedly affirmed the value of religious pluralism in Romania, met religious leaders representing various religious denominations active in Romania and sent messages of congratulations on the occasion of significant religious holidays.

76. During 2015, the State Secretariat for Religious Affairs continued to offer financial support, upon request, including for Muslim and Jewish communities, for the building and/or renovation of public places of worship and for social assistance programmes, as well as for the organization of public events (such as conferences, symposiums and meetings) by recognized religions. It also met the leaders of recognized religions and religious associations regularly and organized frequent consultations with their representatives on issues of mutual interest.

77. In May 2015, the Government offered a lease on land, under specific conditions, for building a new mosque for the Muslim community in Bucharest. The State Secretariat for Religious Affairs, which mediated the leasing of the land, took active steps to place the measure in the context of the existing legal framework guaranteeing religious freedom. Given that the issue had attracted media interest and risked incurring anti-Muslim sentiment, the State Secretary for Religious Affairs took steps to prevent and limit such tendencies. Particular attention is also being paid to the development of relations with Muslim non-governmental organizations active in Romania.

78. The State Secretariat for Religious Affairs has submitted a proposal to the Government to introduce explicit sanctions in the Penal Code for the propagation of extremist messages and incitement to religious hatred. That proposal is currently under review.

79. In September 2013, the State Secretariat for Religious Affairs hosted a meeting with representatives of various religious denominations concerning the constitutional revision process, discussing proposals to further emphasize the importance of religious freedom, State neutrality towards religions, partnerships between religions and the State, and other interests of Romanian religious organizations in amending the Constitution. The conclusions and recommendations of the meeting have been forwarded to Parliament.

80. During the period 2013-2015, the State Secretariat for Religious Affairs co-signed, together with the Ministry of Education and the Romanian Orthodox Church, the Roman Catholic Church and the Reformed Church of Romania, among others, protocols for the administration of religious and theological education in the Romanian education system.

81. Romania cited public statements delivered on numerous occasions by the State Secretary for Religious Affairs. Romania reported that, throughout the period 2013-

2015, the State Secretary attended numerous national and international events concerning the historical status of the Jewish community and the political and social responsibilities of the Romanian State in the Holocaust. The Government, through the State Secretariat for Religious Affairs, offered financing for the renovation of the "Coral" Jewish temple in Bucharest, a cultural landmark of the Jewish community in Romania.

Russian Federation

82. The Russian Federation stated that the right to freedom of conscience and freedom of religion were guaranteed by the Constitution and Federal Law No. 125-FL of 26 September 1997 on freedom of conscience and religious associations, as well as by other legislative acts. The secular character of the Russian Federation is declared by article 14 of the Constitution, under which no religion can be established as a State religion or as obligatory. All religious associations are equal before the law and separate from the State.

83. The Russian Federation continues its work to combat all forms of extremism, including intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons on the basis of religion or belief. Identifying the reasons and conditions that are conducive to the commission of crimes and ensuring their timely elimination are a priority.

84. It also reported that, in order to combat extremism, there is ongoing interaction between State authorities, supervisory bodies, public society and the mass media. The monitoring of social networks and web publications is being carried out to check for crimes of a terrorist or extremist character.

85. Particular attention is paid to the professional training of law enforcement officials. An additional professional programme on the investigation of crimes relating to extremist and terrorist activities is being implemented by the Academy of the Investigative Committee of the Russian Federation and regional faculties of the Advanced Training Institute. At the territorial level, special professional training in this context has also been organized.

86. The Russian Federation noted that extremism and terrorism constituted one of its most complicated social and political problems given their tendency to reappear in a variety of forms of expression and the use of scientific and technical applications for the preparation and commission of crimes. Young people are the most vulnerable to the negative impacts of extremism and terrorism. Counteracting the manifestations of extremism and terrorism, the formation of a tolerant mindset and behaviour among young people and the attainment of civil peace and consent in society are therefore among the main goals of the modern State.

Saudi Arabia

87. Saudi Arabia reported that its laws and regulations embodied the principle of equality and the prohibition of discrimination in all its forms. It also reported that, while the majority of people in Saudi Arabia are Muslim, freedom of religion is guaranteed to non-Muslims in the principal regulation (Constitution), that the sharia prohibits attacks against religions and that whoever is involved in such actions is held accountable.

88. Saudi Arabia also reported that it has always asked the international community to put an end to the defamation of religions and that a dialogue between people practising these religions and people from different cultures, under the auspices of the King, has been put forward as the best way to end such practices. In addition, there are many Saudi academic scientific chairs in the field of religious dialogue and many conferences on the topic have been held. Saudi Arabia referred to the creation of the King Abdullah Bin Abdulaziz International Centre for Interreligious and Intercultural Dialogue, which was established in Vienna in 2012 with the aim of fostering understanding, coexistence and tolerance among people through dialogue.

89. Saudi Arabia added that it had established a centre for dialogue between "madhabs"/schools of thought based in Riyadh and that the fifth meeting of the Istanbul Process, "From adoption to execution: promoting the implementation of Human Rights Council resolution 16/18", was held in Jeddah in 2015. It also noted that a religious conference had been held in April 2015 at the Naif Arab University for Security Sciences to look at the role of the school in combating terrorism and extremism, promoting moderation and developing a vision for the future.

90. Saudi Arabia reported that freedom of expression was limited only by what was proscribed by the country's laws, which are consistent with international human rights standards. Article 39 of the Constitution provides that written or other media and other means of expressing an opinion should be used to spread the "good word" and be a positive force and that it is prohibited if such opinions negatively affect dignity and human rights. Article 26 of the media policy of the Council of Ministers and article 8 of the Regulation on Publications guarantee freedom of expression within the purview of national laws and the sharia.

91. Royal Order No. 44 of 2014 provides for the imprisonment, of a minimum of 3 years and maximum of 40 years, for carrying out terrorist acts; adherence to religious or intellectual extremist groups or organizations considered to be terrorist in Saudi Arabia, regionally or internationally; the adoption of terrorist ideology or support by any means of terrorism, whether moral, material or financial; and the incitement or dissemination of speeches supporting extremism or terrorism or through any other means. This order is meant to consolidate and reinforce the national security regulatory framework.

92. The Saudi human rights commission is charged with awareness-raising activities, training and workshops on human rights, and in 2012, Saudi Arabia signed a capacity-building memorandum of understanding with the Office of the United Nations High Commissioner for Human Rights.

93. The King Abdulaziz Centre hosts awareness-raising meetings on a culture of dialogue, human rights and combating intolerance and hatred in all their forms, including discrimination. An agreement has also been signed between the Centre and the Ministry of Islamic Affairs for the training of imams to promote a culture of tolerance during seminars and Friday addresses.

Sudan

94. The Sudan stated that it attaches great importance to preventing and combating terrorism without losing sight of the humanitarian aspects and dimensions of human rights on the basis of beliefs and traditions that oppose terrorism in all its forms. In

implementing the action plan found in General Assembly resolution 70/157 to combat religious intolerance and extremism, the Sudan provided some information on actions and initiatives that it had developed and taken, including lessons learned, information-gathering and proactive steps that could be taken by the State.

95. The Sudan provided information about its experience in the "intellectual treatment" of the phenomenon of extremism and fanaticism, noting that it had various dimensions. It represents only one effective action to combat the phenomenon of extremism in Sudanese society, meaning that an "intellectual treatment" programme must be comprehensive in order to deal with the phenomenon. The Sudan indicated that different approaches were required, including individual treatment, psychological intervention and the consideration of the nature of the family history and childhood of those who had been radicalized. The involvement of community agencies, family and people of knowledge and competence were important requirements.

96. The Sudan also noted the necessity of studying cases and trends in national radicalization and extremism in order to draw lessons learned. It will also be important to determine intellectual concepts, such as the "issuance of fatwas" and the incitement against the State and society, in order to identify any misconceptions. The Sudan also noted the role of sheikhs and religious leaders in editing material for dangerous extremist content and for addressing issues of "intellectual confusion".

III. Information received from an intergovernmental organization

Office for Democratic Institutions and Human Rights

97. The Office for Democratic Institutions and Human Rights assists the States members of the Organization for Security and Cooperation in Europe (OSCE), religious or belief communities, civil society organizations and national human rights institutions in protecting and promoting the right to freedom of religion or belief and works closely with States and civil society groups to counter hate crime, racism, xenophobia, anti-Semitism and other forms of intolerance, including against Muslims, Christians and followers of other religions or beliefs. Its activities include: cooperative efforts regarding commitments adopted by OSCE to prevent and respond to hate-motivated violence and to promote mutual respect and understanding; reviewing legislation; the development and promotion of educational materials and thematic guidelines; "human dimension" meetings on freedom of religion or belief and fostering mutual respect and understanding; capacity-building on freedom of religion or belief and hate crime; improving national systems and collecting and disseminating information about hate crime; and remembrance of the Holocaust.

IV. Conclusions

98. On the basis of the contributions received, it is evident that a number of Member States are continuing to take extensive steps to implement the action plan outlined in paragraphs 7, 8, 9 and 10 of General Assembly resolution 70/157.

99. Of the 18 Member States that provided submissions, many reported on legal developments and revisions or amendments to existing legislation and mechanisms dealing with human rights, and to issues relating to freedom of religion and belief in particular. In some cases, it was noted that the amendments were intended to bring the national framework into line with international human rights standards and treaty obligations governing freedom of religion and belief, freedom of expression and opinion, racial discrimination and non-discrimination. Some Member States reported that they had constitutional provisions concerning non-discrimination, equality, freedom of religion and belief, while several had enacted legislation, criminal codes and civil laws in order to protect against discrimination and violence on the basis of religion or belief.

100. Some Member States are working to address hate crimes at the national level through better monitoring, recording and reporting of hate crimes, consolidated information-gathering, victim outreach and assistance and strengthened legal prosecution. The contributors noted that, within many national constitutional and legal frameworks, advocacy of incitement to hatred was criminalized and often prohibited on a number of grounds, including on the grounds of religion or belief. Some Member States noted that their political and religious leaders speak out against intolerance, including the advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence. Some Member States are also undertaking various initiatives to combat incitement to hatred, xenophobia and related intolerance and to address hate speech, including on the Internet.

101. Issues of extremism and radicalization featured in a number of responses. Member States noted that they were taking measures to combat extremism through community networks, leaders and mentoring, youth intervention, dialogue and education and educating the general public. These issues are also being addressed through social cohesion and integration programmes, police and security responses, often coupled with regular engagement and interaction with religious leaders, local communities and young people, and data-gathering and data-monitoring. The role of religious leaders and scholars was underscored, with a number of Member States noting that religious leaders were supporting and fostering interfaith dialogue and promoting the human rights issues relating to freedom of religion and belief, and calling for and providing guidance in terms of religious messaging and tone to elicit greater tolerance and moderation in order to eliminate extremism and radicalization.

102. Member States reported that, in general, there was religious freedom and pluralism nationally and that members of religious groups and communities were able to manifest their religion and contribute openly and on an equal footing in their societies. They also reported that they were dealing with the protection of minorities, including religious minorities, and Afrodescendant and indigenous groups and their religions and beliefs in a variety of ways relevant to their national context. Courts and some human rights institutions are reported to be dealing with or adjudicating contemporary issues of freedom of religion and non-discrimination in several Member States.

103. The importance of interfaith and intercultural dialogue and exchange in some form, whether national, regional or international, was underlined in

almost every submission. Interfaith dialogue serves as a forum for communication, discussion, networking, exchange and learning and provides for the open debate of ideas. It is also a means of fostering peaceful tolerance and coexistence by playing a positive role in combating religious hatred, incitement and violence.

104. Training and capacity-building on human rights, tolerance, anti-discrimination and the prevention of stereotypes for government and public officials, especially in law enforcement, police and security services, is taking place in many of the Member States that provided submissions.

105. Religious intolerance, stigmatization, negative stereotyping and discrimination, in particular, are countered through public information and media campaigns and through cultural, sporting and artistic educational measures, including online platforms of exchange, networking and engagement on the various issues concerning freedom of religion and belief and non-discrimination.